IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

RP.No. 100 of 2007(L)

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AGAINST THE JUDGEMENT IN WPC.117/2007 Dated 04/01/2007

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PETITIONERS:

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1. R.MADHUKUMAR, AGED 39 YEARS,
S/O.M.N.RAMAKRISHNAN NAIR,
MANGAYIL HOUSE, VEMBALLY P.O.,
KURIVILANGADU,
KOTTAYAM

2. SHAJI THOMAS K.A., AGED 39 YEARS,
S/O.ANTONY, KURIPPASSERY HOUSE,
OCHANTHURUTH, ERNAKULAM

3. SUDHEER KUMAR K.K., AGED 40 YEARS,
S/O.KUTTAPPAN NAIR,
KADUTHODIYIL HOUSE, PEROOR P.O.,
KOTTAYAM

BY ADV. SRI.K.RAMAKUMAR

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE REGISTRAR,
CO-OPERATIVE SOCIETIES, THIRUVANANTHAPURAM

2. THE MANAGING DIRECTOR,
KERALA STATE CO-OPERATIVE BANK LTD.,
CO BANK TOWERS, PALAYAM,
THIRUVANANTHAPURAM

3. THE SENIOR MANAGER,
KERALA STATE CO-OPERATIVE BANK LTD.,
PULLEPADY JUNCTION, ERNAKULAM

BY SENIOR GOVERNMENT PLEADER, SRI P.N.SANTHOSH

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 06/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**J.M.JAMES, J.**

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R.P.No.100/2007 in
W.P.(C) No. 117/2007 (L)

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Dated this the 6th day of February, 2007

**O R D E R**

The writ petitioners had preferred a writ petition and after hearing, it was closed, as per judgment dated 04/01/2007 in W.P.(C) No.117/2007, with a direction to the writ petitioners to approach appropriate authorities against the order passed by the Board of Directors of the Kerala State Co-operative Bank Ltd., Thiruvananthapuram. The same is now sought to be reviewed on the ground that the termination, if any, has to be done only after the writ petitioners are heard, as they were appointed as collection agents.

2. The learned Senior Government Pleader brought to my notice, a communication addressed by the Managing Director of the State Co-operative Bank to the Board of Directors, in which Registrar of Co-operative Societies had directed to:-

i. terminate the services of the employees on daily wages/contract, which are irregular and,

ii. To cancel the promotion in excess of the sanctioned strength and make rearrangement.

3. It was in the light of the above direction that the Managing Director had addressed to the Board of Directors requesting to address the Government to sanction the posts, with retrospective effect, so that certain employees could be accommodated. The said communication of the Managing Director is even now pending with the Board of Directors.

4. In other words, there is no order passed to terminate the service of the writ petitioners. It is also submitted during the hearing that they are in service.

5. In the above facts situation, I close this review petition, directing the Kerala State Co-operative Bank Ltd., Thiruvananthapuram, to hear the writ petitioners before any order is passed, in relation to their service conditions with the bank.

The judgment in W.P.(C) No.117/2007, dated 04/01/2007 is modified as above and the review petition is accordingly closed.

**(J.M.JAMES)**
Judge

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